



TOWN OF KITTERY

200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

November 9, 2015

Council Chambers

Kittery Town Council
Regular Meeting
7:00 p.m.

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Oath of Office to Newly Elected Officials
5. Roll Call
6. The Kittery Town Council moves to elect a Chairperson for the ensuing year.
7. The Kittery Town Council moves to elect a Vice-Chairperson for the ensuing year.
8. Agenda Amendment and Adoption
9. Town Manager's Report
10. Acceptance of Previous Minutes – 6/8/15 Regular Meeting, 10/26/15 and 11/2/15 Special Meetings
11. Interviews for the Board of Appeals and Planning

Board of Appeals:

- Sean Regan - until 3/25/16 (to fill Vern Gardner's unexpired term)
 - Charles H. Denault, III – until 3/1/18 (to replace Brett Costa who's 3rd term expired 3/1/15)
12. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials

(110215-1) The Kittery Town Council moves to authorize, through an alternative procurement method, in accordance with Sec. 3.2.7 of the Kittery Town Code, for the Purchasing Agent /Town Manager to enter into an agreement with Two Way Communications of Newington, NH, for the purchase and installation of the public safety communications equipment listed in the proposal.

13. PUBLIC HEARINGS

14. DISCUSSION

- a. Discussion by members of the public (three minutes per person)
- b. Response to public comment directed to a particular Councilor
- c. Chairperson's response to public comments

15. UNFINISHED BUSINESS

16. NEW BUSINESS

a. Donations/gifts received for Council disposition

b. (110215-2) The Kittery Town Council moves to adopt its current rules for the ensuing year.

c. (110215-3) The Kittery Town Council moves to appoint Council members to On-going, Standing, Ad hoc and Council Committees.

d. (110215-4) The Kittery Town Council moves to act on the Town Manager's salary from November 12, 2015 through November 2016.

e. (110215-5) The Kittery Town Council moves to approve the disbursement warrants.

f. (110215-6) The Kittery Town Council moves to authorize the Town Manager to close departments with the exception of essential personnel, the day after Thanksgiving, November 27, 2015, with the understanding that employees will use their personal accumulated time.

g. (110215-7) The Kittery Town Council moves to schedule a public hearing on proposed amendments to Title 4 Boards and Committees of the Kittery Town Code.

h. (110215-8) The Kittery Town Council hereby resolves to authorize the Town Manager to apply, on behalf of the Town, for federal financing assistance under the provisions of the Land and Water Conservation Fund Act, Public Law 88-578 for the development of Emery Field; and further authorize Town Manager to enter into the Land and Water Conservation Fund Project Agreement with the State subsequent to federal approval of the project.

Contingent upon approval of federal funds, the Town Council will appropriate local funds required to match the grant, and further recognizes that the grant program operates on a reimbursement basis, whereby the Town is obligated to pay all costs of the project "up-front," to be repaid by federal reimbursement.

i. (110215-9) The Kittery Town Council moves to accept the resignation of Ray Grenier from the Port Authority.

j. (110215-10) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Port Authority to interview Gerry Ilaria for his appointment to that board until 8/31/20.

k. (110215-11) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Comprehensive Plan Update Committee to interview Craig Wilson for his appointment to that board as a citizen representative until the Committee's work is done.

l. (110215-12) The Kittery Town Council moves to appoint a representative to meet with the Chair of the Comprehensive Plan Update Committee to interview Thomas Battcock Emerson for his appointment to that board as a citizen representative until the Committee's work is done.

m. (110215-13) The Kittery Town Council moves to receive correspondence from the Superintendent of Schools in accordance with School Policy DN Sec. A, to give the town first option to purchase a 2001 Chevy Silverado 4WD pickup truck with a plow, before placing it out to bid

n. (110215-14) The Kittery Town Council moves to determine the effective date of the amendment to the Town Charter that was approved by the voters on November 3, 2015.

17. COMMITTEE AND OTHER REPORTS
 - a. Communications from the Chairperson
 - b. Committee Reports
18. EXECUTIVE SESSION
19. ADJOURNMENT

Posted: November 5, 2015



TOWN OF KITTERY

Office of the Town Manager

200 Rogers Road, Kittery, ME 03904

Telephone: 207-475-1329 Fax: 207-439-6806

ncolbertpuff@kitteryme.org

Nancy Colbert Puff
Town Manager

Town Manager's Report to the Town Council October 26, 2015

1. **Athletic Fields Master Plan** – In your packet is a Report to Council concerning an application to the Land and Water Conservation Fund (due Nov. 20th) for matching grant funds to enable the construction of multi-purpose fields and pathways at Emery. Important to note is that should the Town be successful, the grant agreement may only be in hand in summer, 2016, which would allow the match to include FY 17 funds.
2. **Library Committee Update** – By Monday evening, the Library Committee will have met 8 times to explore answers to the questions Council posed at its June 15 special meeting. Minutes and meeting materials are all posted on the Town Manager's web page:
http://www.kitteryme.gov/Pages/KitteryME_Manager/Library%20Committee

As a reminder, Council asked me to establish a working group to address the following:

- a) Where will a new facility will be located on the proposed site? This question includes items such as what the footprint might be, as well as the overall square footage of the structure;
- b) How will the facility be accessed? (e.g. vehicular, pedestrian, emergency vehicles, etc.)
- c) What is the impact on the neighborhood?
- d) What is the future disposition of the Rice and Taylor buildings?
- e) What is the impact of the new facility on the Library's operational budget?

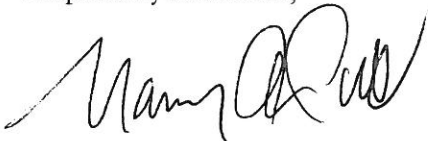
We have made good progress on understanding the program, site plan, and access issues associated with the proposal for the Fitzpatrick property. In addition, we met with neighborhood representatives and listened to their concerns with the proposal. There is some work to be done in evaluating the footprint/square footage topic, and questions "d" and "e" have yet to be discussed in any detail.

3. **Safford School** – I am receiving quotes for the replacement of the Safford School roof and hope to execute an agreement for its replacement next week.
4. **Wood Island Prequalification Submittals** – In cooperation with WILSSA, we have received 11 pre-qualification packages from contractors interested in working on the brownfield cleanup and restoration project. We are in the process of reviewing those qualifications and developing a bid package for distribution to qualified firms. It appears that we are fortunate to have the interest of several firms capable of doing this work.
5. **Northeast Housing Agreement Renewal** – Northeast Housing LLC, manager of Admiralty Village, has renewed its commitment to the Town to pay an "Annual Services Fee" in exchange for the Town providing police, fire, and emergency medical services. Beginning on November 1, 2015, the fee is set at \$1,427/housing unit/year, based upon 187 units. This fee will escalate from 1-3% annually based upon the Consumer Price Index. The extended term expires on October 31, 2019.

6. **Sewer Department Safety Grant** – The Sewer Department is the recipient of a grant of up to \$1,322.23 from the Maine Municipal Risk Management program for the purchase of traffic safety equipment.
7. **Police Chief Retirement** – The Eliot Town Manager Dana Lee and I have decided to advertise for a joint Chief to serve both communities. We will assemble an advisory committee to assist us in evaluating candidates that will include representation from each community, and its respective departments. We expect to advertise for this position in the next month.
8. **Foreside Improvements** – Our Department of Public Works has re-striped the fog line along John Paul Jones Park to a width that will better accommodate bicycle travel. In addition, they recently completed the relocation of the crosswalk at the intersection of Government and Walker to improve its safety. Both of these improvements were recommended by the community as part of the Foreside Forum.
9. **J-1 Seacoast Coalition Conference** – On November 4th, I attended a J-1 meeting hosted by the Community Center along with Fire Chief David O'Brien, Code Enforcement Officer Bob Markey, and Chairperson Thomson. The focus of the meeting was to gain a better understanding of the J-1 program in Kittery and Portsmouth, and to brainstorm solutions to housing and transportation issues. Chief O'Brien delivered an excellent presentation on safety concerns and regulations as they pertain to housing types. I expect to continue discussion with area employers and with the City Manager in Portsmouth to identify short and long term strategies to improve upon these issues, and ultimately improve this program which supports our local businesses. The conference was videotaped and will be played on Channel 22 in the upcoming weeks.
10. **Anniversary** – As of November 12th, I will have completed my second year of serving the Town. I would like to thank the community, the Department Heads, and the Council for your support and assistance in helping me to perform my job as Town Manager.

As always, if you have any questions or concerns prior to the meeting, please do not hesitate to contact me. Thank you.

Respectfully Submitted,



Nancy Colbert Puff

UNAPPROVED MINUTES

October 26, 2015

Kittery Town Council
Special Meeting Agenda
Requested by Jeffrey Thomson, Chair
6:00 p.m.

Council Chambers

1. Call to Order:

Chairperson Thomson called the meeting to order at 6:00 p.m.

2. Introductory:

Chairperson Thomson read the introductory

3. Pledge of Allegiance:

Chairperson Thomson led those present in the Pledge of Allegiance

4. Roll Call: Answering the roll call were Councilors: Dennett, Denault, Pelletier, Spiller, Lemont, Vice-Chairperson White and Chairperson Thomson.

5. (100215-1) The Kittery Town Council moves to go into Executive Session with the Town Manager, in accordance with 1 M.R.S. §405 (6) (A), to discuss her annual evaluation.

Chairperson Thomson moved to go into executive session at 6:01 p.m., seconded by Councilor Spiller. Roll call vote was taken with all voting in favor. Motion passed 7-0.

Councilor Dennett moved to come out of executive session at 6:54 p.m., seconded by Chairperson Thomson. Roll call vote was taken with all voting in favor. Motion passed 7-0.

7. Adjournment:

Chairperson Thomson moved to adjourn the meeting, seconded by Councilor Pelletier, at 6:55 p.m. All were in favor by a voice vote. Motion passed 5-0 (Councilors Spiller and White were out of the room during adjournment vote).

UNAPPROVED MINUTES

November 2, 2015

Kittery Town Council

Council Chambers

Special Meeting

Requested by Jeffrey Thomson, Chair

1. CALL TO ORDER: Chairperson Thomson called the meeting to order at 5:30 p.m.

2. INTRODUCTORY: Chairperson Thomson read the introductory.

3. PLEDGE OF ALLEGIANCE: Chairperson Thomson led those present in the Pledge of Allegiance.

4. ROLL CALL: Answering the roll were Councilors Frank Dennett, Charles Denault, Jeffrey Pelletier, Judy Spiller, Kenneth Lemont, Vice Chair Russell White and Chairperson Jeffrey Thomson.

5. DISCUSSION

a. Discussion by members of the public (only on item 6 below and three minutes per person). There was none.

b. Chairperson's response to public comments. There was none

6. NEW BUSINESS

(110115-1) The Kittery Town Council moves to act on the Town Manager's salary from November 2015 through November 2016.

THERE WAS DISCUSSION WHETHER OR NOT NOTICE OF THE MEETING HAD PROPER POSTING. GIVEN UNCERTAINTY, CHAIRPERSON THOMSON MOVED TO POSTPONE ACTION ON ITEM 6 UNTIL THE REGULAR MEETING OF NOVEMBER 9, 2015, SECONDED BY COUNCILOR PELLETIER, MOTION PASSED 6-1, WITH COUNCILOR DENAULT VOTING IN OPPOSITION.

5. EXECUTIVE SESSION:

a. (110115-2) The Kittery Town Council moves to go into executive session, with the Town Attorney in accordance with 1 M.R.S. §405 (6) (A), to discuss a personnel matter.

IT WAS MOVED BY CHAIRPERSON THOMSON AND SECONDED BY COUNCILOR PELLETIER TO GO INTO EXECUTIVE SESSION AT 5:49 P.M. ROLL CALL VOTE WAS TAKEN AND MOTION PASSED, 6-1, WITH COUNCILOR DENAULT VOTING IN OPPOSITION.

UNAPPROVED MINUTES

46 IT WAS MOVED BY CHAIRPERSON THOMSON AND SECONDED BY COUNCILOR
47 SPILLER TO COME OUT OF EXECUTIVE SESSION AT 6:40 P.M. ROLL CALL VOTE WAS
48 TAKEN AND MOTION PASSED, 7-0.

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50 6. ADJOURNMENT:

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52 IT WAS MOVED BY COUNCILOR PELLETIER AND SECONDED BY CHAIRPERSON
53 THOMSON TO ADJOURN THE MEETING AT 6:41 P.M. ALL WERE IN FAVOR BY A
54 VOICE VOTE. MOTION PASSED 7-0.
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**TOWN COUNCIL MEETING
COUNCIL CHAMBERS**

**UNAPPROVED
JUNE 8, 2015**

1
2 1. Call to Order

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4 Chairperson Thomson called the meeting to order at 7:00 p.m.
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6 2. Introductory

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8 Chairperson Thomson read the introductory.
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10 3. Pledge of Allegiance

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12 Chairperson Thomson led those present in the Pledge of Allegiance.
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14 4. Roll Call

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16 Answering the roll were Chairperson Jeffrey Thomson, Vice Chairperson Russell White,
17 Councilors Frank Dennett, Charles Denault, Jeffrey Pelletier, and Kenneth Lemont.
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19 5. Agenda Amendment and Adoption

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21 Chairperson Thomson requested to add, as item 13 g under New Business, The Kittery
22 Town Council moves to offer free admission to Fort Foster for J-1 work study students who are
23 living in Kittery during the summer season.
24

25 6. Town Manager's Report

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27 Town Manager Puff commented that they are continuing to work with the beta group to
28 rank all of the roads in Kittery according to their condition. She noted that there is a question on
29 the June 9th ballot on whether or not the Town wants to spend \$1.3 million on roads immediately
30 to jumpstart addressing the current road conditions. Town Manager Puff added that this summer
31 the Town will begin paving certain roads around the Town.
32

33 Town Manager Puff stated that the Bowen Road Consent Agreement is complete and the
34 steps have been installed and gave an update on the KCC unit ventilators. She noted that they
35 have a proposed solution to fix the unit ventilators and will be meeting with the architect team to
36 discuss how to go about fixing them this summer as well as how they will participate in the cost
37 of the solution.
38

39 Town Manager Puff commented on the idea of combined dispatching with neighboring
40 towns to save money and improve the dispatching. They are currently working on a southern

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York County regional dispatch proposal. She added that there is an item on the June 9th ballot regarding the upgrade of the dispatch consoles with bond financing and commented that the Town is working on improving channel 22 to include a live feed on the Town's website.

Town Manager Puff noted that the Wood Island Advisory Committee has been meeting to continue the work on Wood Island, including moving forward with the Brownfield grant. She added that they had a meeting with the EPA and that WILSSA had received a \$200,000 National Heritage Grant which would likely require the Town to enter into a preservation restriction for 20 years to secure the public's investment in the \$200,000. Town Manager Puff noted that they are also exploring the idea of flood insurance. She added that Wood Island is eligible to be on the National Register which requires an additional review process for the project. Chairperson Thomson asked how this process is going to differ from what they have been doing since the land was deeded to the Town. Town Manager Puff responded that the Town will be responsible for protecting the improvements made the property as a result of the grant, noting what the Brownfield grant would entail.

Town Manager Puff commented that the Kittery Block Party is on June 20th and gave some statistics regarding transactions processed in the Town Hall at through the online services during busy seasons.

Chairperson Thomson commented that Councilor Spiller had a work conflict and could not attend the meeting.

7. Acceptance of previous minutes – 5/11/2015

The minutes of 5/11/2015 were accepted as amended.

8. Interviews for the Board of Appeals and Planning Board

Chairperson Thomson announced that there were two people interviewing for Thomas Emerson's position on the Planning Board, Matt Brock and Deborah Lynch.

Mr. Brock approached the podium to comment on why he would like to join the Board and his relevant experience for the position. Mr. Brock stated that he would like to be a part of the important quality of life issues for the Town that the Board is involved with. Mr. Brock noted that he has served on the KCC Planning and Development Committee, on the Town Council, on the Open Space Committee and on the Anti-Casino Committee. He added that he has also been involved with development and environmental projects in the Town. Councilor Denault asked Mr. Brock if he had a chance to review his attendance on the boards, which was a question he had asked Mr. Brock the last time he was before the Council. Mr. Brock responded that his

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attendance has been good on the Boards he served on, at least consistent with what most of the other councilors were doing. Councilor Denault asked Mr. Brock if he was familiar with instances where ordinances have been brought before the Council and there have been mistakes or typos. Mr. Brock responded that while he served on the Council they met with the Planning Board and gave helpful input to the Board members to make sure that the ordinances were accurate.

Councilor Denault asked if Mr. Brock would have the best interest of the community and the preservation of its way of life in mind. Mr. Brock responded that he agreed and believed that is an important part of any board. Councilor Denault commented on a discrepancy on Mr. Brock's application involving his phone number and asked him to clarify his educational background. Vice Chairperson White commented that at Mr. Brock's last appearance before the Board he had mentioned that he had retired and is no longer commuting. Mr. Brock responded that he is no longer commuting and now has more time to focus on this position. Vice Chairperson White asked Mr. Brock if he has attended any Planning Board meetings recently and he responded that he has not. Vice Chairperson White asked if Mr. Brock had any concerns that he believes should be brought to the attention of the Planning Board. Mr. Brock responded that he did not have any specific topics in mind but that all boards can be improved. Councilor Lemont asked Mr. Brock what his thoughts were about growth in the Town. Mr. Brock responded that he would prefer not to give his personal thoughts on the matter but did mention that the zoning ordinance is something that the Town should look at.

Deborah Lynch approached the podium to explain why she would like to be on the Board and gave a short history of her relevant background and experience. Councilor Dennett asked if Ms. Lynch was a native of Kittery Point to which she responded that she is. Councilor Dennett stated that zoning is an implement used by the haves to keep out the have nots and asked Ms. Lynch if she wanted to comment. Ms. Lynch responded that changes in zoning have rippling effects in the community and may or may not benefit the Town as a whole. Councilor Denault asked Ms. Lynch the same question he asked Mr. Brock about the Planning Board representing the best interests of the community and the preservation of its way of life with impartiality and objectivity. Ms. Lynch responded that decisions made by the Board must be in the best interest of the people and she currently helps people do the right thing while abiding by those laws. Councilor Denault asked if her real estate experience has given her a different perspective on the Planning Board's current issues. Ms. Lynch commented that she has not seen any instances in Kittery but has seen some issues in York and Ogunquit that she disagrees with.

Vice Chairperson White asked both Ms. Lynch and Mr. Brock if they would be willing to stay in the pool of candidates if they are not chosen tonight and, if so, that they indicate their answer to Town Clerk Maryann Place. Vice Chairperson White asked if switching roles from real estate agent to Planning Board would be difficult for Ms. Lynch. Ms. Lynch responded that

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her experience of being on the other side would be an advantage for her. Vice Chairperson White asked Ms. Lynch if she would have any conflicts of interest and how she would handle it. Ms. Lynch responded that she currently would not have any conflicts but if she did she would notify the Chairperson and recuse herself. Vice Chairperson White asked if she has attended any meetings or watched any online. Ms. Lynch stated that she has watched them online but has distanced herself from the meetings recently so she could go in having a fresh perspective. Councilor Lemont asked Ms. Lynch about growth in the Town. Ms. Lynch commented that at this time she does not have enough information about the subject to form an educated opinion. Councilor Lemont clarified his question to include Hailey Road and Route 1 and the mixed use zone in that area that has restricted growth and business. Ms. Lynch responded that she is familiar with the area and it does have unused land that could be utilized better. Chairperson Thomson thanked the applicants for their time.

COUNCILOR DENAULT NOMINATED DEBORAH LYNCH TO FILL THE OPEN POSITION ON THE PLANNING BOARD. COUNCILOR DENNETT SECONDED THE MOTION.

A ROLL CALL WAS TAKEN. MOTION CARRIED 4-2 WITH VICE CHAIRPERSON WHITE AND CHAIRPERSON THOMSON IN OPPOSITION.

COUNCILOR PELLETIER NOMINATED MATT BROCK TO FILL THE OPEN POSITION ON THE PLANNING BOARD. VICE CHAIRPERSON WHITE SECONDED THE MOTION.

A ROLL CALL WAS TAKEN. MOTION FAILED 3-3 WITH COUNCILORS LEMONT, DENAULT AND DENNETT IN OPPOSITION.

9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials

The Kittery Town Council moves to recognize the recipients of the 2015 Educational (Recycling) Scholarships.

Councilor Denault read the recipients' names aloud and presented the awards. Councilor Denault announced that \$19,500.00 was given out in scholarships to the students.

The Kittery Town Council moves to receive a presentation on the York River Wild and Scenic Study from Karen Young and Paul Dest.

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Paul Dest approached the podium and announced that Karen Young could not be in attendance. Mr. Dest gave a brief update on the project over the past five years, commenting on the process of obtaining the Scenic Study. Mr. Dest commented that a draft plan would result from the study but will not happen for three or four more years. He noted that they are currently in the process of getting study committee members. Chairperson Thomson asked what the approximate time frame would be for the study and Mr. Dest responded that it would take approximately three or four years and they are hoping to get the study committee up and running around September. Councilor Dennett asked why only three of the four towns in the watershed would have representatives on the committee. Mr. Dest responded that it was an oversight and noted that at the beginning of the project they were not sure if South Berwick had enough land included in the area to be involved in the process. Councilor Lemont asked what the designation would mean for the land. Mr. Dest responded that it would create a partnership with the Park Service and earn a tremendous amount of prestige for the river.

10. PUBLIC HEARINGS

a. (060115-1) The Kittery Town Council moves to hold a public hearing on an application from Graciano's, Inc., 7 A Commercial Street, Kittery, Maine for a Victualer's License for Thai Lotus Restaurant, 340 US Route 1, Suite 9.

Vice Chairperson White opened the public hearing and hearing none closed it.

COUNCILOR DENAULT MOVED TO APPROVE AN APPLICATION FROM GRACIANO'S, INC. FOR A VICTUALER'S LICENSE FOR THAI LOTUS, 340 US ROUTE 1, SUITE 9, KITTERY, MAINE. VICE CHAIRPERSON WHITE SECONDED THE MOTION.

A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.

b. (060115-2) The Kittery Town Council moves to hold a public hearing to receive comments on Town Meeting Articles 2 through 7 for the June 9th Election.

Vice Chairperson commented that the articles involve the ability of the Council during a fiscal year to utilize resources that are not included in a fiscal year budget and gave examples of when this would be necessary.

Vice Chairperson White opened the public hearing and hearing none closed it.

11. DISCUSSION

- a. Discussion by members of the public

George Dow approached the podium to discuss various issues. He asked if the Town would have any responsibility to repair the Wood Island Life Saving Station from weather damage. Mr. Dow asked if the \$1.3 million to be spent on road repair included the consultant work or not and the Council indicated that it would not. Mr. Dow then asked if employees of Kittery would be allowed the same access to Fort Foster as J-1 students, who the voting members of the KCC Board are and if a three year contract required a public hearing. Chairperson Thomson responded that the voting members are those listed on the website and noted that Mike Downs and Allen Kerr were not present. Mr. Dow noted that there is a conflict of interest with Chairperson Thomson voting on the KCC Board and the Council. Chairperson Thomson commented that the vote was to authorize the Chair of the KCC Board and Janice to meet with the group and formulate a draft a three year agreement that the Board would endorse or not to move on to the Council. He then noted that when the KCC Board was formed it was agreed that there would be a voting member from the Town Council.

Milton Hall approached the podium to discuss the Shoreland Harbor Plan. He asked why nothing has come of it since it was brought to the Planning Board. He then asked why the Council and the Planning Board do not combine legal notices to save money.

12. UNFINISHED BUSINESS

- a. (050315-1) The Kittery Town Council moves to approve and ordain a 3-year waste handling agreement with EcoMaine, pursuant to Section 6.11 (2) of the Town Charter.

Chairperson Thomson confirmed with Vice Chairperson White that there was a motion and a second to approve the document and then it was postponed. Vice Chairperson White commented that Mr. Dennett had some minor revisions for the document that he wanted to review. Mr. Dennett commented that he had reviewed the document and the major change that he suggested had been made.

A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.

- b. (050315-4) The Kittery Town Council moves to hold a public hearing on a renewal application of Capital Video Corporation, 44 Bedson Road, Cranston, RI, for a Viewing Booths License for Amazing.net, 92 Route 236.

Chairperson Thomson asked if a public hearing had been held and if a motion was made and seconded to grant, which the Council responded that it had. Chairperson Thomson commented on information from the Police Department regarding calls to the building.

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Councilor Dennett asked if he could read the information before he voted. After reviewing the documents, Councilor Dennett reviewed an ordinance and noted that there were no recommendations and they had no information from the Chief at their previous meeting but that the reports from the CEO were dated April 1st and May 6th. He noted that he will not vote against it but suggested that the Town follow their ordinances more closely in the future. Chairperson Thomson noted that he would be voting in the negative and Councilor Denault agreed. Councilor Lemont asked the Chair why he was voting no. Chairperson Thomson responded that he has issue with ordinance and personal preference with the business. Councilor Denault commented that he knows families in that area who do not support the business. Vice Chairperson White commented that the Council must have a sound basis to vote against the business regardless of their personal preferences. Councilor Pelletier noted that he agreed with Chairperson White and noted that the Council must follow their ordinances and enforce the law.

A ROLL CALL WAS TAKEN. MOTION FAILED 3-3 WITH CHAIRPERSON THOMSON AND COUNCILORS LEMONT AND DENAULT IN OPPOSITION.

13. NEW BUSINESS

- a. Donations/gifts received for Council disposition – None.
- b. (060115-3) The Kittery Town Council moves to approve an application from Graciano's Inc., 7 A Commercial Street, Kittery, Maine for a Malt and Vinous Liquor License for Thai Lotus Restaurant, 340 US Route 1, Suite 9.

COUNCILOR PELLETIER MOVED TO APPROVE THE APPLICATION FROM GRACIANO'S INC., 7 A COMMERCIAL STREET, KITTERY, MAINE FOR A MALT AND VINOUS LIQUOR LICENSE FOR THAI LOTUS RESTAURANT, 340 US ROUTE 1, SUITE 9. COUNCILOR DENAULT SECONDED THE MOTION.

Councilor Lemont commented on corrections to the application. Councilor Dennett commented that the items that he had concern with had been corrected in the master application but not all corrections had been made.

A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.

- c. (060115-4) The Kittery Town Council moves to approve a renewal application from Chios Pizza, Inc., 69 Griffin Road, Portsmouth, New Hampshire for a Malt Liquor License for Town Pizza Restaurant, 15 Wentworth Street.

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VICE CHAIRPERSON WHITE MOVED TO APPROVE A RENEWAL APPLICATION FROM CHIOS PIZZA, INC., 69 GRIFFIN ROAD, PORTSMOUTH, NEW HAMPSHIRE FOR A MALT LIQUOR LICENSE FOR TOWN PIZZA RESTAURANT, 15 WENTWORTH STREET. COUNCILOR PELLETIER SECONDED THE MOTION.

Councilor Lemont asked Councilor Dennett if his issues have been addressed. Chairperson Thomson confirmed that the changes had been made and noted a spelling error.

A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.

d. (060115-5) The Kittery Town Council moves to approve an application from Blind Pig Provisions LLC, 2 Badger's Island West, Kittery, Maine for a Malt, Spirituous and Vinous Liquor License for Blind Pig Provisions, 2 Badger's Island West.

COUNCILOR PELLETIER MOVED TO APPROVE AN APPLICATION FROM BLIND PIG PROVISIONS LLC, 2 BADGER'S ISLAND WEST, KITTERY, MAINE FOR A MALT, SPIRITUOUS AND VINOUS LIQUOR LICENSE FOR BLIND PIG PROVISIONS, 2 BADGER'S ISLAND WEST. COUNCILOR LEMONT SECONDED THE MOTION.

A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.

e. (060115-6) The Kittery Town Council moves to approve the disbursement warrants.

CHAIRPERSON THOMSON MOVED TO APPROVE THE DISBURSEMENT WARRANTS IN THE AMOUNT OF \$393,980.69. COUNCILOR PELLETIER SECONDED THE MOTION.

A VOICE CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.

f. (060115-7) The Kittery Town Council moves to appoint George Dow to the Education Scholarship Committee until 2/8/18.

Chairperson Thomson noted that Councilor Lemont performed the interview and whole heartedly endorses his appointment.

COUNCILOR LEMONT MOVED TO APPOINT GEORGE DOW TO THE EDUCATION SCHOLARSHIP COMMITTEE UNTIL 2/8/18. VICE CHAIRPERSON WHITE SECONDED THE MOTION.

319
320 **A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.**

321
322 g. The Kittery Town Council moves to authorize free admission to Fort Foster to J-1
323 Work Study foreign students who are living in Kittery for the work season and who can show
324 proof of residence in Kittery at the gate.

325
326 **COUNCILOR DENAULT MOVED TO AUTHORIZE FREE ADMISSION TO**
327 **FORT FOSTER TO J-1 WORK STUDY FOREIGN STUDENTS WHO ARE LIVING IN**
328 **KITTERY FOR THE WORK SEASON AND WHO CAN SHOW PROOF OF**
329 **RESIDENCE IN KITTERY AT THE GATE. CHAIRPERSON THOMSON SECONDED**
330 **THE MOTION.**

331
332 Councilor Denault commented that he believed Town Employees do get free admission
333 to Fort Foster and asked the Town Manager to look into it. Norm commented that they do get
334 free admission.

335
336 **A ROLL CALL WAS TAKEN WITH ALL IN FAVOR. MOTION CARRIED 6-0.**

337
338 14. COUNCILOR ISSUES OR COMMENT

339
340 Councilor Lemont noted that Town employees get free passes to Fort Foster but school
341 employees do not. He also noted that the progress of the pier is outstanding. Councilor Dennett
342 asked that members of staff do a better job following ordinances. Councilor Denault asked that
343 they review why school employees do not get free passes and reminded the public to vote at the
344 next election. Chairperson Thomson mentioned that there was a special meeting next Monday
345 night at 7:00 p.m. for the public hearing on the municipal budget. He then added an executive
346 session to the agenda of that meeting. Chairperson Thomson also noted that they had received
347 updated budget sheets from the manager and mentioned a concern about handicap access at Fort
348 Foster. He then commented on a letter from a citizen regarding traffic around the Navy Yard and
349 noted that election signs from Eliot have been placed around Kittery. Councilor Denault
350 commented on traffic at Fort Foster.

351
352 15. COMMITTEE AND OTHER REPORTS – None.

353
354 16. EXECUTIVE SESSION – None.

355
356 17. ADJOURNMENT

**TOWN COUNCIL MEETING
COUNCIL CHAMBERS**

**UNAPPROVED
JUNE 8, 2015**

358 **COUNCILOR PELLETIER MOVED TO ADJOURN, SECONDED BY VICE**
359 **CHAIRPERSON WHITE WITH ALL IN FAVOR. MEETING ADJOURNED AT 8:44**
360 **P.M.**



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
SEP 03 2015
BY: 4:54 pm

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Seán Regan

RESIDENCE: Kittery

MAILING (if different) 9 Dion Ave Kittery Me

E-MAIL ADDRESS: smr@nautilusrg.com PHONE #: (Home) _____ (Work) 603-944-7471

Please check your choice:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: Commercial + Residential real estate

RELATED EXPERIENCE (Including other Boards and Commissions) _____

PRESENT EMPLOYMENT: Nautilus Realty Group

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST (please read back of application): none

REASON FOR APPLICATION TO THIS BOARD: To improve the town

I HAVE ___/HAVE NOT ☒ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

[Signature]
SIGNATURE OF APPLICANT

9/3/15
DATE



TOWN OF KITTERY, MAINE RECEIVED
TOWN CLERK'S OFFICE
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1328 Fax: (207) 439-6808
NOV 04 2015 9:00 AM

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Charles H. Denault III

RESIDENCE: 55 Fernald Road, Kittery, ME 03904

MAILING (if different) _____

E-MAIL ADDRESS: Charles@charlesdenault.com PHONE #: (Home) 207-475-2098 (Work) 207-475-2098

Please check your choice:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: Biology, University of New Hampshire

RELATED EXPERIENCE (Including other Boards and Commissions) Worked in advisory roles for multiple companies, started two companies in the area, currently serving on Board of Directors for Simple Charters.

PRESENT EMPLOYMENT: Simple Charters, Inc.

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST (please read back of application): N/A

REASON FOR APPLICATION TO THIS BOARD: Life-long resident with strong interest in seeing the town of Kittery move forward.

I HAVE ___/HAVE NOT ☒ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

Charles H. Denault III
SIGNATURE OF APPLICANT

11/4/15
DATE



Town of Kittery, Maine Fire Department

3 Gorges Road
Kittery, Maine 03904
Tel (207) 439-2262

Chief David O'Brien
firechief@kitteryme.org

Report to Town Council

Meeting Date: 09 November 2015

From: Ted Short, Police Chief; David O'Brien, Fire Chief

Subject: Alternate Procurement Method for the procurement of Public Safety Communications System equipment and installation.

EXECUTIVE SUMMARY

Kittery's Public Safety Agencies (Police and Fire) have been working for well over a year to provide a plan to upgrade Kittery's Public Safety dispatch equipment. Funding was approved through the Capital Improvement Program (CIP) and through a voter approved bond to purchase the necessary radio and communication equipment that will bring the dispatch center up to standard. We have been fortunate to have received quotes for the equipment using bid pricing through the State of Maine and the Commonwealth of Massachusetts and as a result have been able to ensure excellent pricing through Two-Way Communications of Newington, NH.

STATEMENT OF NEED

Kittery's public safety dispatch is in need of upgrade due to several pieces of the overall system either at or nearing the obsolescent phase of its life span. Through the use of bid pricing obtained by the State of Maine and the Commonwealth of Massachusetts, both of whom have achieved volume discounts through a state-wide competitive bid process, we believe Kittery will receive better pricing than it could attract via bidding on its own.

BACKGROUND

Communications equipment is designed to have a life span based on electronic equipment failure rates and the ability to maintain an adequate stock of parts to effect a quick repair when needed. Currently our public safety base radio systems are past the obsolescent period and our consoles are no longer functioning at the desired state of the art system that is advantageous for proper police, fire and EMS communications. Finding parts to fix deficiencies is very difficult and usually results in using salvaged parts saved from older radio communication equipment.

This project also dovetails well with the current effort being put forward by our Town Manager in concert with the Towns of Eliot, Berwick and South Berwick to create a regional dispatch center that will be housed in the Town of Kittery. Discussion has been positive to the extent where draft protocols for discussion are being written and funding plans being discussed.

FACTS BEARING ON THE EQUATION

Funding of \$447,845 has been approved for this project through the Fiscal Year 2016 Capital Improvement Program (CIP) and through a voter-approved bond. Prior to and since CIP approval we have met many times with Two-Way Communications in Newington, NH to design the best possible dispatch communication system using Motorola and other quality manufacturer's equipment and within the budgeted allocation. Kittery's public safety agencies believe Motorola provides the best product and wishes to continue using Motorola equipment as we move forward. Two-Way Communications has been Kittery's service contractor for well over forty years and is the licensed Motorola dealer for our area.

CURRENT SITUATION

The Town of Kittery operates a Motorola VHF conventional radio system through our own dispatch center located at the Kittery Police Station. The system consists of two repeaters at the Kittery Water District water tower site on Rogers Road and two satellite receive sites. The Motorola radio system was installed in the new Police Station in 1998 where it was moved from the existing police station on State Road. The existing Motorola Centracom Gold Elite dispatch consoles were newly installed in 1998. Both the radio system and console configuration are either in obsolescence or will be shortly.

PROPOSED SOLUTION/RECOMMENDATION

Two-Way Communications has submitted the Town of Kittery a comprehensive proposal to upgrade our existing dispatch center to state of the art technology. This includes new consoles, new base stations radios and remote alarm system receiver technology. This technology will combine with our existing field Motorola radio equipment in use by our public safety agencies. It will also support Kittery Public Works and Sewer Department as they currently have the ability to transfer to our public safety assigned frequencies during an emergency situation.

RATIONALE FOR THE PROPOSED SOLUTION (INCLUDING COSTS)

The total list cost for this project approaches \$674,000. We have been able to utilize the State of Maine Master Agreement for Public Safety Communications Equipment which uses the Western States Contracting Alliance pricing to gain leverage on pricing for our radio equipment. We were fortunate to gain a further end of sales year discount through extended discussion with the regional Motorola representative. Total discounts for the Motorola equipment resulted in a savings of 32.3% off list price Watson Furniture Group extended Massachusetts State Contract pricing to the Town of Kittery resulting in a 37.3% discount for the dispatch consoles. The alarm receiving capability has been quoted through Two-Way Communications at the dealer cost which is a 41.3% discount. Please note, the alarm receiving function will generate revenue for the Town. This pricing has a limited time and will no longer

be available to the Town of Kittery after 23 November 2015. The following are the list prices, discounts and Kittery pricing for the equipment.

PROPOSED COST

<u>Equipment</u>	<u>List Price</u>	<u>Me/Ma Contract Price</u>	<u>Two-Way Kittery Price</u>	<u>% Off List</u>
Radios	\$545,302	\$445,982	\$369,045	32.3%
Furniture	69,049	43,323	43,323	37.3%
Alarm Receiver	<u>59,570</u>	<u>34,945</u>	<u>34,945</u>	41.3%
TOTAL	\$673,921	\$524,250	\$447,313	33.6%

The total quoted amount of \$447,313 is \$532 under the total budgeted allocation of \$447,845 which includes \$311,890 from the bond and \$135,955 from CIP.

Kittery would avoid significant costs by awarding this project based on the state contracting leverage to Two Way Communications of Newington, NH. Two Way is currently under contract with the Police Department to maintain our entire public safety communication system; has been for over forty years; and is quite familiar with our current system and our requirements to move forward. Two Way Communications is also the Town's current provider for Information Technology (IT). The resources provided by Two Way Communications are Motorola product based and are backed by a well-trained Motorola technician force. Motorola is considered by most to be the most reliable and most capable radio communications equipment in the world. The interface with our existing Motorola equipment as we move forward with communication upgrades needs qualified technicians to install, test, and commission to ensure a seamless changeover.

Two Way Communications provides Kittery with the "best value" for our dollars by providing very competitive pricing, well trained technicians and location (Newington) which supports emergency needs when problems develop with equipment. Being in the best interest of the Town of Kittery, We request the Town Council authorize Town Manager Colbert Puff to enter into an agreement with Two Way Communications of Newington, NH for the purchase and installation of the public safety communications equipment listed in the attached proposal.

COUNCIL RULES

Except as superseded by these rules, Robert's Rules of Order, Newly Revised, 10th Edition, govern the conduct of meetings.

SECTION ONE. REGULAR MEETINGS:

The regular meetings of the Council are held in the Council Chambers of the Town Hall on either the second or fourth Monday of each calendar month, or both. Public proceedings commence at 7:00 p.m. whether or not preceded by an executive session.

When said meeting falls on a holiday or is otherwise postponed, the regular meeting is held on the following Wednesday, at the same time and place.

The date and venue of any regular meeting may be changed upon the vote of the Council, provided, however, that said change in date, or venue, will still provide for at least one regular meeting in each month.

SECTION TWO. SPECIAL MEETINGS:

Special meetings may be called by the Chairperson or by four members of the Town Council. Notice of such meeting must, when possible, be given at least twelve hours before the time for holding the meeting. The call for the meeting must set forth the matters to be acted upon and nothing else may be considered.

Special meetings include public comment time as provided at regular Council meetings, but such public comment is limited to the matters on the agenda for the meeting. Notices of such meetings must include the name(s) of the person(s) requesting the meeting.

SECTION THREE. COUNCIL ACTION:

The Town Council shall act only by ordinance, order, resolve, and by consensus.

Actions of the Council are recorded in the minutes of the Council meeting.

SECTION FOUR. EFFECTIVE DATE OF COUNCIL ACTIONS:

All actions of the Council, except ordinances, take effect immediately upon passage.

The effective date of ordinances is governed by Section 2.14, Paragraph 3 of the Town Charter.

SECTION FIVE. DUTIES OF THE CHAIRPERSON.

The Chairperson shall assume the chair at the time appointed for the meeting; call the members to order; provide for introductory and pledge of allegiance; cause the roll to be called; and, a quorum being present, proceed to conduct the business of the Council according to the published agenda.

The Chairperson shall preserve decorum and order; speak to points of order in preference to other members; and, decide all questions of order subject to an appeal to the Council by motion regularly made and seconded, and no other business is in order until the question on appeal be decided.

The Chairperson shall declare all votes, but if any member doubts a vote, the Chairperson shall cause a return of the members voting in the affirmative and in the negative without debate.

All persons wishing to speak, whether they be Council members or members of the general public must first be recognized by the Chairperson.

The Chairperson enjoys the same rights and privileges as other members of the Council, including the introduction and seconding of motions and participation in debate.

SECTION SIX. VICE CHAIRPERSON.

The position of Vice Chairperson is hereby established. The provisions of Charter Sec. 2.05 (1) apply for election to this position.

In the temporary absence or disability of the Chairperson, Charter Sec. 2.05 (3) and Section Five of these Council Rules govern the duties of the Vice Chairperson.

SECTION SEVEN. RECONSIDERATION OF THE VOTE.

When a vote is concluded, it is in order for any member who voted on the prevailing side to move a reconsideration thereof at the same or next regular meeting.

SECTION EIGHT. CONDUCT IN ADDRESSING THE COUNCIL.

Proper decorum, befitting the gravity of their solemn duties, is expected of all Councilors during the conduct of meetings.

Councilors wishing to speak shall respectfully address the Chairperson, and confine their comments to the question under debate, or the issue the Councilor wants to raise.

No member may be interrupted by another, but for a point of order or to correct a mistake, and only upon recognition by the Chairperson.

SECTION NINE. MOTIONS IN WRITING

Motions must be reduced to writing if the Chairperson so directs.

SECTION TEN. SUSPENSION OF THE RULES.

The rules may not be dispensed with, or suspended, unless five members of the Council consent thereto. No rules may be adopted, amended, or deleted without notice in writing being given at the preceding regular meeting.

SECTION ELEVEN. VOTING:

Voting is by a randomly sequenced roll call. Councilors shall indicate their vote by a yes or no, or by abstention, when polled. No Councilor may be excluded from participation in debate on any question except as required by Town Charter or state statute, (currently Section 12.01 and 30-A MRS §2605, respectively). Councilors have the right to change their vote up to the time the vote is announced by the Chairperson.

The vote must be recorded in the minutes of the meeting to indicate each Councilor's vote, or abstention.

SECTION TWELVE. AGENDA:

In order that advance notice of the matters to be discussed at Council meetings be afforded interested parties, all meetings of the Council will be conducted according to the agenda.

An agenda will be prepared for each regular meeting and posted by the Thursday preceding said meeting. Posting will be in a public area of the municipal building and of the U.S. Post Offices in Kittery and Kittery Point.

When practicable, an agenda will be prepared at least twelve hours in advance of a special meeting; delivered to all Council members and posted as previously provided.

All Town Manager's memoranda of interest to the Council members will be delivered to them at least seventy-two hours before a regular meeting.

All reports or proposals made to the Council, which require or request that an action be taken by the Council, are to be submitted in written form. The content will consist of the following, as appropriate:

- Executive Summary
- Statement of Need
- Background
- Facts Bearing on the Equation
- Current Situation
- Proposed Solution / Recommendation
- Rationale for the Proposed Solution (including costs)

The agenda consists of the following categories:

1. Call to Order
2. Introductory
3. Pledge of Allegiance
4. Roll Call
5. Agenda Amendment and Adoption
6. Town Manager's report

7. Acceptance of previous minutes
8. Interviews for Planning Board and Board of Appeals.
9. All items involving the town attorney, town engineers, town employees or other town consultants or requested officials.

Persons who are represented by legal or engineering consultants, who are present and wish to address the Council, shall notify the Chairperson prior to the Council Call to Order of the subject they wish to speak on and will be heard at this time.

10. Public hearings
11. Discussion
 - a. Discussion by members of the public (3 minutes per person)
 - b. Response to public comment directed to a particular Councilor'
 - c. Chairperson's response to public comments.
12. Unfinished business
13. New business
 13. a. Donations/gifts received for Council disposition
14. Councilor issues or comment
15. Committee and other reports
 - a. Communications from the Chairperson
 - b. Committee reports
16. Executive session, if required
17. Adjournment

To the extent possible, matters to be discussed at a meeting by the town manager or Chairperson will be listed on the agenda under Chairperson Communications, or Town Manager's Report, respectively.

The category of Unfinished Business is specifically reserved for Council business discussed at a previous meeting that has been postponed or continued to the meeting for which the present agenda is prepared.

The New Business section of the agenda is reserved for those matters which a Councilor wishes to introduce anew.

Except as provided in Charter Article XI, no proposal for ordinances enactment, repeal, or amendment may lie before the Council unless introduced by a Council member.

In keeping with the policy regarding advance notice, Councilors are encouraged and requested to submit to the Town Clerk those matters which they wish to introduce under New Business by 4:00 p.m. on the Tuesday preceding the Thursday that the agenda is to be posted. The Town Clerk shall then place those matters on the agenda.

Immediately following the roll call, the Chairperson may amend and must adopt the agenda, except no matter requiring public notice may be added without such notice. Agenda amendment after adoption may be made only by majority vote.

SECTION THIRTEEN. DISCUSSION.

A. Discussion by members of the public (3 minutes per person)

Any person wishing to address the Town Council will be given an opportunity to do so in accordance with the following procedures.

1. The Public Discussion section of the agenda is reserved for members of the public who wish to address the Council on any matters listed on the agenda or on other matters they wish to bring to the Council's attention.
2. Any person wishing to have an item listed on the agenda under Public Discussion shall submit the matter to be discussed in writing to the Town Clerk by 4:00 p.m. on the Tuesday preceding the Thursday that the agenda is to be posted.
3. Persons wishing to address the Council during public discussion will signify their desire by raising their hand and, when recognized by the Chairperson, request permission to address the Council, giving their name and address, then designating the subject matter on which they desire to address the Council.
4. Members of the public, addressing the Council during the public discussion section of the agenda shall limit their statements to the Council, to no more than three minutes per person unless the Chairperson finds it necessary to allow more time.
5. Persons wishing to address the Council on an item which appears on the agenda after public discussion shall wait until the Chairperson announces the consideration of such item, at which time, after being recognized, they may address the Council on that particular item.

However, once the Council has begun its deliberation on the item, no person is permitted to address the Council unless the Chairperson, having determined that the Council's deliberations appear finished, and that the item under consideration is of great concern to members of the public gathered, permits persons in the audience to address the Council before closing the discussion and calling for Council vote.

B. Response to public comments.

In order to assure that the Council is speaking as one voice when responding to public comments all general responses shall be made by the Council Chairperson.

The Chairperson is responsible for any subsequent follow-up response to the speakers. In the event a member of the public addresses an issue to a particular Councilor, the Chairperson will invite such Councilor to respond directly, if that Councilor so desires.

SECTION FOURTEEN. COUNCIL POLICIES:

The Town Clerk shall maintain copies of Council rules and policies and provide same to the Rice Public Library.

To allow for the opportunity for full attendance, all workshops held by the Council will be scheduled for a Monday. When this is impossible to do, another night will be chosen by the Council at a regular Monday meeting.

No member of the Council may request a legal opinion relative to Town business from the Town's appointed attorneys without prior approval of a majority vote of the Council. All such requests must be made through the Town Manager.

SECTION FIFTEEN. STANDING COMMITTEES

A. In accordance with the Kittery Town Charter, Sec. 2.10(2) the Council establishes two standing committees consisting of the entire Council, as follows:

Financial

All budgetary matters
Any appropriation ordinance
Administrative relations
Grants, bequests, etc.

Legislative

Approvals: Permits, licenses
All non-appropriation ordinances
Appointments
Property transfers

B. The Ordinance Review Committee consists of two members of the Council appointed annually at the first Regular meeting after the November municipal elections. All communication should be in coordination with the Town Manager.

The Committee is to conduct a review and evaluation of any non-appropriation ordinance proposal prior to Council Public Hearing on the matter. The Committee is to:

- provide a report of review results to Council at an appropriate level of detail;
- ensure that form and format are consistent with the codification structure;
- note any substantive debatable issues identified; and,
- make a recommendation for ordainment.

SECTION SIXTEEN. COPY COSTS:

The cost charged by the Town for making copies of any materials, excluding those produced by the Planning Department, access to which the public is entitled, is twenty-five (25) cents a copy.

Copies of the Council packets are to be made available to the media at ten (10) cents a page.

SECTION SEVENTEEN. COUNCILOR AWARENESS

The Council realizes that Councilors should make an effort to broaden and increase their knowledge of information and skills directly related to their responsibility to govern the Town, and that efforts should be made to appropriate funds for this purpose.

Prior to incurring and requesting reimbursement for such expenses, however, individual Councilors must obtain the approval of the Council. Such approval is required for any individual expense that would be paid from the Council Contingency or the Council Expense accounts.

Approved 02/27/89	Amended 09/27/99	Amended 12/17/01	Amended 09/27/10
Amended 12/28/92	Amended 11/22/99	Amended 09/16/02	Amended 01/09/12
Amended 06/26/95	Amended 05/31/00	Amended 10/28/02	Amended 09/10/12
Amended 010/3/96	Amended 10/30/00	Amended 08/24/09	Amended 02/11/13
Amended 01/10/96	Amended 03/19/01	Amended 11/23/09	Amended 03/25/13
Amended 12/09/96	Amended 07/02/01	Amended 08/23/10	Amended 01/27/14

TOWN COUNCIL STANDING, ADHOC & COMMITTEE LIST

COUNCIL CHAIRPERSON / VICE CHAIR – 1ST ORDER OF BUSINESS AFTER SWEARING IN.

Jeffrey Thomson, Chair
Russell White, Vice Chair

CIP COMMITTEE

Denault, Charles

COMPREHENSIVE PLAN UPDATE COMMITTEE

White, Russell

ECONOMIC DEVELOPMENT COMMITTEE

Denault, Charles
Thomson, Jeffrey
Lemont, Kenneth

ELIOT SEWER COMMITTEE

Beers, Gary (citizen liason)

KITTERY COMMUNITY CENTER BOARD OF DIRECTORS

Thomson, Jeffrey (until 3/26/15)

MARY SAFFORD WILDES TRUST

Thomson, Jeffrey, Chair

OPEN SPACE ADVISORY COMMITTEE

White, Russell

RECYCLING SCHOLARSHIP SELECTION COMMITTEE

Denault, Charles

SAFFORD SCHOOL PRESERVATION COMMITTEE

Spiller, Judy

SHARED SERVICES COMMITTEE

Thomson, Jeffrey, Council Chair
White, Russell, Council Vice Chair

WARRANT REVIEW - MUNICIPAL EXPENSE

Dennett, Frank
Pelletier, Jeffrey
Lemont, Kenneth

WARRANT REVIEW – MUNICIPAL EMPLOYEE WAGES & BENEFITS

Thomson, Jeffrey
White, Russell
Pelletier, Jeffrey

WARRANT REVIEW – SCHOOL EXPENSE

Lemont, Kenneth
Thomson, Jeffrey
Spiller, Judy

WARRANT REVIEW – SCHOOL EMPLOYEE WAGES & BENEFITS

David Batchelder
Kimberly Bedard
Patti Ayer

WOOD ISLAND PRESERVATION COMMITTEE

Spiller, Judy
Pelletier, Jeffrey



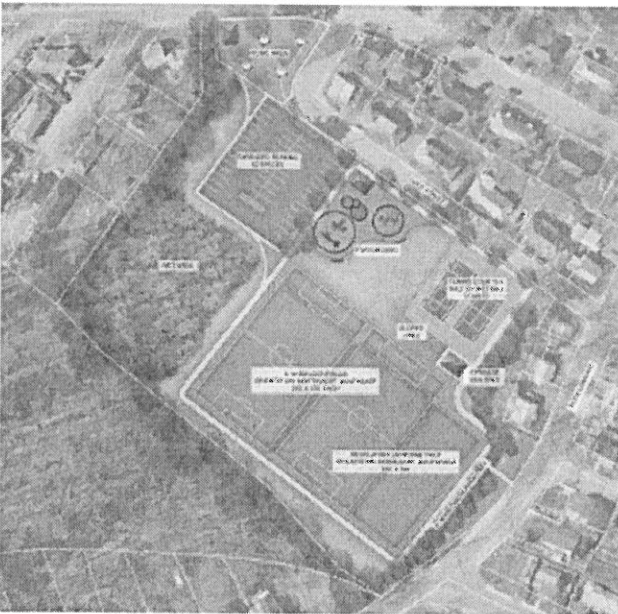
TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1329 Fax: 207-439-6806

REPORT TO TOWN COUNCIL

Meeting Date: November 9, 2015
From: Nancy Colbert Puff, Town Manager *NCP*
Subject: Emery Field Grant Application to the Land and Water Conservation Fund (LWCF)

EXECUTIVE SUMMARY

Pursuant to a recommendation made in the Athletic Fields Master Plan, I request Council's approval of grant application to the Land and Water Conservation Fund (LWCF) in the amount of \$390,000. The project would design and construct the multi-purpose field (two U-10 soccer fields overlaid with one lacrosse field) and walking paths. This project is a portion of the overall improvements



proposed for the field, which also includes a playground, picnic area, parking lot, tennis courts, and restrooms/ storage facility.

The maximum grant award is \$200,000; the maximum reimbursement rate of 50%. The Town must identify a match of \$195,000 to accept the grant award. The Kittery Athletic Fields Improvement (KAFI) committee is pursuing additional grant and fundraising opportunities to assist the Town in meeting the match requirement.

STATEMENT OF NEED

The Athletic Fields Master Plan performed a Town-wide analysis of athletic field usage which concluded, in part, that fields are used well beyond (~200%) recommended playing time annually. Soccer, in particular, places a

large burden on field usage, and building new fields at Emery is a top priority of the plan.

BACKGROUND

The Athletic Fields Master Plan was developed in partnership with the KAFI committee who funded 50% of the plan.

FACTS BEARING ON THE EQUATION

There are few grant resources for recreational field construction – the LWCF is one of the primary (and substantial) resources available for this purpose. Kittery has achieved past success with this source of funding, as Haley Field, Fuller Track, and Emery Field have all benefitted from this grant. Nevertheless, it is a highly competitive application process, as all projects in Maine vie for limited

Maryann Place

From: Peter Whitman [chairkitteryportauthority@gmail.com]
Sent: Wednesday, November 04, 2015 2:46 PM
To: Maryann Place
Subject: Fwd: Kittery Port Authority

----- Forwarded message -----

From: 77 <ray77@comcast.net>
Date: Sun, Oct 18, 2015 at 11:40 AM
Subject: Kittery Port Authority
To: Peter Whitman <chairkitteryportauthority@gmail.com>, Mark Drummond <fishlikemad@myfairpoint.net>, Kelly <nowakekp@aol.com>, Bruce Crawford <brucecrawfordnco@aol.com>, Ann Grinnell <annhgrinnell@icloud.com>, Betsy Oulton <BOulton@kitteryme.org>, Nancy Colbert Puff <NColbertPuff@kitteryme.org>

KPA Board,

Please accept my resignation as a Board Member of the KPA.
As you know my term was up in Aug., and as much as I would have like to stay on till the end of the year I am unable to attend the Nov. and Dec. meetings.

Its been a experience and pleasure working with everyone.

Best regards,
Ray

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED

MAR 08 2011

TOWN OF KITTERY

10:15 AM

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME:

Jerry Tonia

RESIDENCE:

23 Tilton Ave

MAILING (if different)

E-MAIL ADDRESS:

jilwings@aol.com

PHONE #:

(Home) 9-8663

(Work)

757-2318

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- ☐ Board of Appeals
- ☐ Conservation Commission
- ☐ Cable Television Rate Regulation Board
- ☐ Recycling Scholarship Selection Comm.
- ☐ Parks Commission
- ☒ Port Authority
- ☐ Personnel Board

- ☐ Board of Assessment Review
- ☐ Mary Safford Wildes Trust
- ☐ Shellfish Conservation Committee
- ☐ Community Center Bldg. Comm./Rec. Comm.
- ☐ Open Space Committee
- ☐ Planning Board
- ☐ Other

Corrected
Contact
Information
attached
(MP)

EDUCATION/TRAINING:

MBA

RELATED EXPERIENCE (Including other Boards and Commissions)

OWN FIRM

Whit house, boat house and marinas on Brooks Island

PRESENT EMPLOYMENT:

self - part consultant

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY

☒ Yes

☐ No

ANY KNOWN CONFLICT OF INTEREST:

NO

REASON FOR APPLICATION TO THIS BOARD:

Community Service

I HAVE ___/HAVE NOT ___ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Jerry Tonia
SIGNATURE OF APPLICANT

3/5/11
DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
MAY 06 2015

BY: 11:35 Am

Applicant
updated
Contact
Information
mplew

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Jerry Ilaria

RESIDENCE: 23 Tilton Ave Kittery

MAILING (if different) _____

E-MAIL ADDRESS: Jilaria63@gmail.com PHONE #: (Home) 439-4421 (Work) 752-2378
CONF

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|--|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input checked="" type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: MBA

RELATED EXPERIENCE (Including other Boards and Commissions) _____

PRESENT EMPLOYMENT: Retired

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: no

REASON FOR APPLICATION TO THIS BOARD: update contact info

I HAVE ☒ / HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Jerry Ilaria
SIGNATURE OF APPLICANT

May 6, 2015
DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806

RECEIVED
JAN 21 2015

BY: 4:24 pm

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: Craig R. Wilson

RESIDENCE: 22 Charles Hill Rd

MAILING (if different) _____

E-MAIL ADDRESS: CWILSON515@AOL.COM PHONE #: (Home) 439-4153 (Work) SAME

Please check your choices and list in order of priority by marking 1,2,3, etc.:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input checked="" type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Recycling Scholarship Selection Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: MA Counseling Psychology

RELATED EXPERIENCE (Including other Boards and Commissions) P.B., BOA, KOSAC

PRESENT EMPLOYMENT: Self

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST: None

REASON FOR APPLICATION TO THIS BOARD: Want to be involved in Kittery's future

I HAVE ☒ / HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Craig R. Wilson
SIGNATURE OF APPLICANT

1/21/15
DATE



TOWN OF KITTERY, MAINE

TOWN CLERK'S OFFICE

200 Rogers Road, Kittery, ME 03904

Telephone: (207) 475-1328 Fax: (207) 439-6806 BY: 12:00 pm

RECEIVED
AUG 17 2015

APPLICATION FOR APPOINTMENT TO TOWN BOARDS

NAME: THOMAS BATTLOCK-EMERSON

RESIDENCE: 10 OX POINT DRIVE, KITTERY, ME 03904

MAILING (if different) _____

E-MAIL ADDRESS: B-E@COMCAST.NET PHONE #: (Home) 207.703.0303 (Work) 207.752.1371

Please check your choice:

- | | |
|---|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> Board of Assessment Review |
| <input type="checkbox"/> Conservation Commission | <input type="checkbox"/> Mary Safford Wildes Trust |
| <input checked="" type="checkbox"/> Comprehensive Plan Update Committee | <input type="checkbox"/> Shellfish Conservation Committee |
| <input type="checkbox"/> Education Scholarship Committee | <input type="checkbox"/> Economic Development Committee |
| <input type="checkbox"/> Parks Commission | <input type="checkbox"/> Open Space Committee |
| <input type="checkbox"/> Port Authority | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Personnel Board | <input type="checkbox"/> Other _____ |

EDUCATION/TRAINING: ARCHITECTURE/PLANNING

RELATED EXPERIENCE (Including other Boards and Commissions) _____

CURRENT: ECONOMIC DEVELOPMENT COMMITTEE

PAST: PLANNING BOARD, BOARD OF APPEALS

PRESENT EMPLOYMENT: STUDIO B-E ARCHITECTURE - SELF

ARE YOU A REGISTERED VOTER OF THE TOWN OF KITTERY ☒ Yes ☐ No

ANY KNOWN CONFLICT OF INTEREST (please read back of application): No

REASON FOR APPLICATION TO THIS BOARD: INTEREST & EXPERIENCE

I HAVE ☒ HAVE NOT ☐ ATTENDED AT LEAST TWO MEETINGS OF THE BOARD FOR WHICH APPLICATION IS BEING MADE. I AGREE TO ATTEND ALL MEETINGS, EXCEPT FOR SICKNESS OR EMERGENCY, AND WILL ADVISE THE CHAIRPERSON WHEN I AM UNABLE TO ATTEND, IF APPOINTED.

Please read the back of this application before signing.

Thomas Battlock-Emerson
SIGNATURE OF APPLICANT

08.17.2015

DATE

To: Kittery Town Council
From: Allyn Hutton, Kittery Superintendent of Schools
Date: November 4, 2015
Re: Surplus equipment for sale

The Kittery School Department has the following surplus vehicle for sale:

- **2001 Chevy Silverado 4WD pick up with plow**
- **V-8, automatic transmission**
- **Single cab vehicle with 167,000 miles**

Vehicle currently needs a new fuel line and brakes. Condition is listed as fair, but the vehicle is not road worthy, without repairs.

Estimated value of the vehicle in running condition: \$3,700

Estimated repairs on the vehicle to be road worthy: \$2,000

Asking surplus price \$1,700